

IT IS SO ORDERED.

Dated: 03:40 PM December 09 2005


MARILYN SHEA-STONUM *JS*
U.S. Bankruptcy Judge

THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

IN RE:)	CHAPTER 13
ALICIA DIONNE BARCLAY)	CASE NO: 05-55354
1075 LACROIX)	
AKRON, OH 44307)	MARILYN SHEA-STONUM
Debtor(s))	BANKRUPTCY JUDGE
)	
)	<u>TRUSTEE'S MOTION RE: DISMISSAL OF</u>
)	<u>CHAPTER 13 CASE</u>

Now comes Jerome L. Holub, Chapter 13 Trustee, and moves for an order dismissing the above mentioned Chapter 13 plan due to the following:

On **08/24/2005**, the above named debtor(s) filed a petition for relief under Chapter 13 of the Bankruptcy Code.

A 341 hearing was held on **12/08/2005** and then subsequently adjourned, due to a failure by debtor(s) and attorney for the debtor(s) to supply the Trustee with certain required information. Prior to adjourning the 341 hearing, the debtor(s) and attorney for the debtor(s) were instructed to provide the following to the Trustee:

NEED AMENDED SCHEDULE J TO REDUCE CHARITABLE CONTRIBUTIONS.

CHAPTER 13

Jerome L Holub
Trustee
1 Cascade Plaza
Suite 2020
Akron, Oh 44308
(330) 762-6335
Fax
(330) 762-7072
Email
jholub@ch13akron.com

Based upon the foregoing, the Trustee hereby moves that any failure to provide the information as requested above to the Trustee within thirty (30) days from the time-stamped date and upon the filing of an affidavit of default, will result in dismissal of this case without further hearing, the above mentioned Chapter 13 plan will be dismissed upon filing of an affidavit by the Chapter 13 Trustee.

Respectfully submitted,
/s/Jerome L Holub
Chapter 13 Trustee

ORDER CONDITIONALLY GRANTING MOTION RE: DISMISSAL

It appears to the court that the above mentioned debtor(s) have failed to comply with the Chapter 13 Trustee's office as requested. Therefore, unless all information requested by the Trustee is provided to the Trustee within thirty (30) days of the Motion, or unless debtor(s) request a hearing on this matter that specifically sets forth the basis for the hearing, the above mentioned Chapter 13 plan will be dismissed upon filing of an affidavit of default by the Chapter 13 Trustee.

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ROBERT M WHITTINGTON
159 S MAIN ST #1023
AKRON, OH 44308

CHAPTER 13

Jerome L Holub
Trustee
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Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 0647-5
Case: 05-55354

User: ddors
Form ID: pdf701

Page 1 of 1
Total Served: 1

Date Rcvd: Dec 13, 2005

The following entities were served by first class mail on Dec 15, 2005.
db +Alicia Dionne Barclay, 1075 LaCroix, Akron, OH 44307-1661

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 15, 2005

Signature:

